

Letters and Other Written Materials



(1)

Pub ng
Department of Ecology Air Quality Program

**Ecology Recommends Designations and a Nonattainment
Area for the 2006 PM_{2.5} Standard**

The Department of Ecology (Ecology) is holding a public hearing to receive comment on recommendations the state of Washington is considering submitting to the U.S. Environmental Protection Agency (EPA). These recommendations are on designations and a nonattainment area for the federal 24-hour standard for fine particulate matter.

Background information

The Environmental Protection Agency (EPA) revised the air quality standard for fine particulate matter less than 2.5 microns in size (PM_{2.5}) in 2006. The reason for changing the standard was to better protect public health. EPA changed the standard from 65 micrograms per cubic meter to 35 micrograms per cubic meter.

When EPA changes an air quality standard, states can make recommendations to EPA on whether areas in the state should be designated "attainment" (meeting the standard), "nonattainment" (not meeting the standard), or "unclassifiable" (there is not enough information to determine if the area meets the standard).

Ecology's recommendations

After examining EPA's monitoring data, Ecology proposes to make the following recommendations:

Attainment:

- Duwamish area of Seattle
- Lake Forest Park
- Marysville
- Spokane

Nonattainment:

- *South Tacoma

* The Puget Sound Clean Air Agency (PSCAA) developed the proposed nonattainment area for Tacoma, which is within PSCAA's jurisdiction, on the basis of the nine factors in EPA guidance and with input from a variety of organizations. The proposed area is the entire area within the Pierce County Comprehensive Urban Growth area (CUGA), **except for:**

- areas to the south and southwest (including Fort Lewis and McChord Air Force Base), and
- the area to the east along and east of the Puyallup River-White River valleys (including Sumner, Auburn, Pacific, Bonney Lake, and Orting).

***Unclassifiable:**

- Moose Lodge in Vancouver
- S. 4th Avenue in Yakima

*Unclassifiable areas had monitors that were discontinued but restarted in January 2007.

(12-3-07

[Handwritten signature]
509-228-6767

Public hearing schedule

Ecology will hold a hearing to receive public comment on the draft PM_{2.5} recommendations and the proposed nonattainment area boundary:

Wednesday, December 5, 2007
7:00 p.m.

Pierce County Library and Administrative
Center (PAC Building)
3005 112th Street East
Tacoma, WA 98446

You can view more information about the recommendations at the following locations:

Department of Ecology
Air Quality Program
300 Desmond Drive
Lacey, WA 98503

Department of Ecology
Central Regional Office
15 West Yakima Ave.
Yakima, WA 98902-3401

Department of Ecology
Vancouver Field Office
2108 Grand Blvd.
Vancouver, WA 98661-4622

Southwest Clean Air Agency
11815 NE 99th Street, Suite 1294
Vancouver, WA 98682

Spokane Regional Clean Air Agency
1101 West College Ave., Suite 403
Spokane, WA 99201

Pierce County Library
3005 112th St. E
Tacoma, WA 98446-2215

Yakima Library
102 North 3rd Street
Yakima, WA 98901

Department of Ecology
Northwest Regional Office
3190 -- 160th Avenue SE
Bellevue, WA 98008-5452

Department of Ecology
Eastern Regional Office
4601 N. Monroe Street
Spokane, WA 99205-1295

Puget Sound Clean Air Agency
1904 3rd Avenue, Suite 105
Seattle, WA 98101-2038

Yakima Regional Clean Air Authority
6 South 2nd Street, Room 1016
Yakima, WA 98901

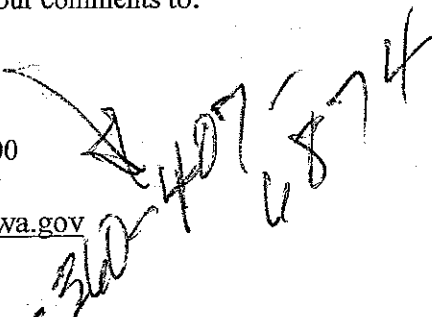
Marysville Library
6120 Grove St.
Marysville, WA 98270

Vancouver Library
1007 E. Mill Plain Blvd.
Vancouver, WA 98663

How to comment

You must provide your comments by 5:00 p.m. December 10, 2007. You can comment in person at the hearing, or mail, email or FAX your comments to:

Doug Schneider
Department of Ecology
P.O. Box 4700
Olympia, WA 98504-7600
FAX: (360) 407-7534
Email: dsch461@ecy.wa.gov



For more information

Contact Doug Schneider at the contact information provided above.

If you need special accommodations,, please call Tami Dahlgren of the Air Quality Program at (360) 407-6800 by November 28. If you have a hearing loss, call 711 for Washington Relay Service. If you have a speech disability, call 877-833-6341.

Recommended Designations for the 24-Hour PM_{2.5} Standard

Washington State Department of Ecology

October 25, 2007

The United States Environmental Protection Agency (EPA) revised the 24-hour federal health standard for fine particulate matter (PM_{2.5}) in the ambient air to 35 micrograms per cubic meter in December 2006 to improve protection of public health. PM_{2.5} refers to particulates with an aerometric diameter of 2.5 microns or less. Compliance with the PM_{2.5} standard is evaluated

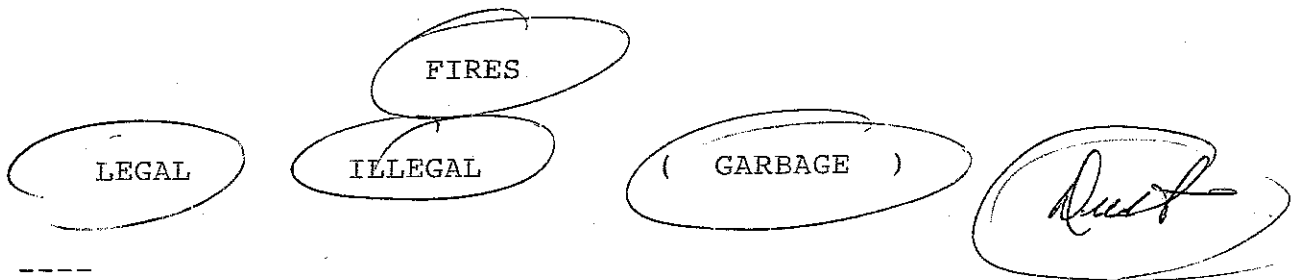
SITE SITE NO.	98TH PERCENTILE			DESIGN VALUE 2004-2006	RECOMMENDED DESIGNATION
	2004	2005	2006		
<u>CLARK COUNTY</u>					
Moose Lodge, Vancouver 53-011-0013	43.7	n/a	n/a	n/a	Unclassifiable
<u>KING COUNTY</u>					
Duwamish, Seattle 53-033-0057	29.1	30.0	n/a*	n/a	Attainment
Lake Forest Park 53-033-0024	24.9	25.4	37.3	29.2	Attainment
<u>PIERCE COUNTY</u>					
L Street, Tacoma 53-053-0029	43.7	40.5	42.7	42.3	NONATTAINMENT
<u>SNOHOMISH COUNTY</u>					
Marysville 53-061-1007	28.2	37.1	32.5	32.6	Attainment
<u>SPOKANE COUNTY</u>					
Ferry Street, Spokane 53-063-0016	25.6	31.6	31.6	29.6	Attainment
<u>YAKIMA COUNTY</u>					
S 4th Ave, Yakima 53-077-0009	44.3	n/a	n/a	n/a	Unclassifiable

* The Duamish site did not meet the level of data completeness required by EPA regulations during the third quarter of 2006. Elevated levels of PM_{2.5} normally occur in the first and fourth quarters. The maximum value of 35.3 µg/m³ in these two quarters combined with 95% data completeness indicates attainment of the standard in 2006.

13-3-07
509-338-6767

over a three-year period by averaging the 98th percentile value for the each calendar year to determine the design value. A design value of 35.5 micrograms per cubic meter or higher is a violation of the 24-hour PM_{2.5} standard.

Areas that violate a federal health standard are designated *Nonattainment*; areas that meet the standard, *Attainment*; and areas where more information is needed, *Unclassifiable*. States recommend designations to EPA. EPA will make the final determination in December 2008. EPA may take an additional year if available information is insufficient.



WHY ----

NO NUMBER TO CALL AFTER HOURS , SAT. SUN. , HOIDAYS ?

PEOPLE BURN WHEN THEY CAN GET BY WITH IT .

*Need
help!*

WHY ----

THE LAW TO BURN SHOULD BE EQUAL TO ALL (SCAPCA - DNR)) ?

WHY ----

SCAPCA - DNR - LOCAL FIRE STATIONS - LAW ENFORCEMENT

SHOULD ALL WORK TOGETHER AS ONE AND THE SAME TO PROTECT

ALL OF US FROM SMOKE - ^PARTICLES IN THE AIR - ETC. ?

IF WE ALL WORK TOGETHER WE CAN MAKE A DIFFERENCE

24/7

DALE SMITH

N. 27816 ELK CHATTAROY RD.

CHATTAROY , WASH.

99003 - 8927

228-6767

*10-1-06
10-2-07*

*City,
County,
State,
All States!*

*24/7 Clean
Air!*

F I R E S

WILD - SET - - LEGAL - ILLEGAL (GARBAGE)

NO ONE NUMBER TO CALL 24-7 FOR THE ABOVE !

WHEN CALLING _____

SCAPCA THEY WILL TELL YOU WEATHER AND IF YOU CAN OR CAN'T BURN IN YOUR AREA .

FIRE STATIONS (CITY - COUNTY) WILL GO OUT ON A FIRE REPORT AND IF IT'S A HOUSE OR BRUSH FIRE PUT IT OUT . IF IT'S GARBAGE AND NOT SPREADING THEY DON'T DO ANYTHING . (SHOULD BE REPORTED TO SCAPCA)

D.N.R. THEY GO OUT ON FOREST FIRES .

YOU CAN GET A D.N.R. PERMIT IF NEEDED (LARGE BURN) . SMALL FIRE YOU DON'T NEED A PERMIT . NO GARBAGE

SCAPCA WHEN YOU ARE PERMITTED TO BURN SMALL BRANCHES , ETC. THE FIRE MUST BE PUT OUT BY 5 P.M.

D.N.R. YOU DON'T HAVE TO PUT IT OUT JUST CONTROL IT .

THIS IS NOT EQUAL !
WE NEED YOUR HELP !

D.N.R. - SCAPCA - CITY - COUNTY - FIRE STATIONS

~~SHOULD ALL BE UNDER THE SAME LAW OR RULES . IT WOULD BE HELPFULL EACH ONE IS DOING THERE~~

WE FEEL D.N.R. , S.C.A.P.C.A. , CITY , COUNTY FIRE STATIONS AND LAW ENFORCEMENT SHOULD ALL WORK TOGETHER UNDER THE SAME LAWS !
~~ONE NUMBER TO CALL SUCH AS THE LOCAL FIRE STATION AS IT IS 24/7 .~~

THE CALL WOULD BE DISPATCHED TO THE PROPER FIRE TEAM OR LAW ENFORCER OR THE QUESTION ANSWERED .

THIS WOULD BRING ALL FIRE RESPONSE TEAMS AND S.C.A.P.C.A.

UNDER THE SAME ROOF . THIS WOULD ELIMINATE PEOPLE FROM CALLING ALL OF THE ABOVE AND NOT RECEIVE THE ANSWER THEY WANT

IF CALL THE ABOVE THEY ARE NOT ALL OPEN 24/7 IF IT IS A ILLEGAL FIRE THE EVIDENCE IS ALL GONE BY THE TIME THEY GET OUT PEOPLE BURN WHEN THEY CAN GET BY !

IF THE GOV. WOULD TAKE TO D.N.R. , S.C.A.P.C.A.

12-2-07
Hale
509-228-6767

IN SPOKANE BILL DAMEWORTH MANAGER AT S.C.A.P.C.A. IS GOING
TO TRY IN THERE NEXT MEETING TO BRING THIS PLANE TO REALALITY
WE NEED THE GOV . TO HELP BRING D.N.R. INTO THIS PLAN .
ALSO WE WOULD LIKE THE GOV. TO TAKE TO GOV. OTTER (IDAHO)
AS THEY WILL BURN IN IDAHO WHEN CAN'T AND SHOULD NOT

called Hot Line
1-800-562-6000
1-12-06 34/7

REDUCING DUST

WHAT YOUR BUSINESS NEEDS TO KNOW

I AM SENDING A COPY TO YOU FOR REFERENCE .
WE FEEL THAT ALL TRUCKS OR TRAILORS SHOULD BE COVERED IF THEY
ARE LEAVING A DUST TRAIL FROM THEIR LOAD !

REPRESENTATIVE LARRY CROUSE (SCOT)
THANK YOU FOR THE CALL

SENATOR BOB MCCASLIN
THANK YOU FOR THE LETTER

REPRESENTATIVE LYNN SCHINDLER

WE ALL CAN MAKE A DIFFERENCE IF WE TRY !

DALE E. SMITH 509 - 238 - 6767
27816 N. ELK - CHATTAROY ROAD
CHATTAROY , WASH. 99003 - 8729

GOVERNOR GARY LOCKE

Handwritten notes:
Called Hotline
1-4-2007
2:15 PM
GB 6410
12-2-07
Be - 2004
2005

RCW 46.61.655**Dropping load, other materials -- Covering.**

(1) No vehicle shall be driven or moved on any public highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction. Any person operating a vehicle from which any glass or objects have fallen or escaped, which would constitute an obstruction or injure a vehicle or otherwise endanger travel upon such public highway shall immediately cause the public highway to be cleaned of all such glass or objects and shall pay any costs therefor.

(2) No person may operate on any public highway any vehicle with any load unless the load and such covering as required thereon by subsection (3) of this section is securely fastened to prevent the covering or load from becoming loose, detached, or in any manner a hazard to other users of the highway.

(3) Any vehicle operating on a paved public highway with a load of dirt, sand, or gravel susceptible to being dropped, spilled, leaked, or otherwise escaping therefrom shall be covered so as to prevent spillage. ~~Covering of such loads is not required if six inches of freeboard is maintained within the bed.~~ *Remove*

(4) Any vehicle with deposits of mud, rocks, or other debris on the vehicle's body, fenders, frame, undercarriage, wheels, or tires shall be cleaned of such material before the operation of the vehicle on a paved public highway.

(5) The state patrol may make necessary rules to carry into effect the provisions of this section, applying such provisions to specific conditions and loads and prescribing means, methods, and practices to effectuate such provisions.

(6) Nothing in this section may be construed to prohibit a public maintenance vehicle from dropping sand on a highway to enhance traction, or sprinkling water or other substances to clean or maintain a highway.

[1990 c 250 § 56; 1986 c 89 § 1; 1971 ex.s. c 307 § 22; 1965 ex.s. c 52 § 1; 1961 c 12 § 46.56.135. Prior: 1947 c 200 § 3, part; 1937 c 189 § 44, part; Rem. Supp. 1947 § 6360-44, part. Formerly RCW 46.56.135.]

NOTES:

Rules of court: Monetary penalty schedule -- IRLJ 6.2.

Severability -- 1990 c 250: See note following RCW 46.16.301.

Severability -- 1971 ex.s. c 307: See RCW 70.93.900.

Littering: Chapter 70.93 RCW.

Transporting waste to landfills: RCW 70.93.097.

*Added text
to
2-4-04*

Already in law:

RCW 46.61.655

Dropping load, other materials -- Covering.

(1) No vehicle shall be driven or moved on any public highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction. Any person operating a vehicle from which any glass or objects have fallen or escaped, which would constitute an obstruction or injure a vehicle or otherwise endanger travel upon such public highway shall immediately cause the public highway to be cleaned of all such glass or objects and shall pay any costs therefor

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Called
Hot since
8-31-05

Make
10-13-05
omit the
pink

STATE REPRESENTATIVE
4th DISTRICT
LARRY CROUSE

State of
Washington
House of
Representatives



TECHNOLOGY
TELECOMMUNICATIONS & ENERGY
RANKING MINORITY MEMBER
COMMERCE & LABOR

HOTLINE MESSAGE entered on 02/27/04 at 08:37 AM

Dale Smith
27816 N Elk Chattaroy Rd
Chattaroy, WA 99003

Home Phone: (509) 238-6767

TO: Representative Larry Crouse
CC: Senator Bob McCaslin
Representative Lynn Schindler

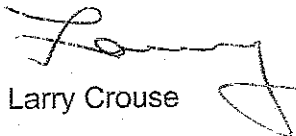
Issue: Tarps on trucks

Message: I would like to see legislation passed requiring trucks caring sand, dirt, or gravel to be covered with a tarp. I do not like being sandblasted while driving on the freeway. These tarps would also keep lose materials from floating around in our breathing air.

Response: Dale,
Thank you for calling the legislative hotline regarding the covering of trucks that carry sand or dirt. We do have laws requiring vehicles that operate on a public highway to have its load covered. Enclosed is a copy of RCW 46.61.655. I believe that this law is intended to address the circumstance that you've identified.

I appreciate hearing from you about this matter.

Sincerely,


Larry Crouse



Washington State Senate

Olympia Office:
PO Box 40410
Olympia, WA 98504-0410

Senator Mary Margaret Haugen
10th Legislative District

(360) 786-7618
FAX: (360) 786-1999
e-mail: haugen_ma@leg.wa.gov

November 7, 2005

COPY

Doug MacDonald
Secretary, Washington State Department of Transportation
PO Box 47316
Olympia, WA 98504-7316

Dear Secretary MacDonald,

I am enclosing two separate letters that were received by my office and by Senator McCaslin. Both are regarding the issue of requiring 6 inches of free board in a vehicle when transporting any materials. Their concern is that there is a tendency to evade the intent of this law by piling all the materials (gravel for example) up in the middle of the vehicle so that there is free board around the perimeter. Both correspondents propose requiring trucks to cover their loads completely while transporting materials.

Both Senator McCaslin and I are interested in possibly sponsoring this type of legislation. However, before we do so, I wanted to send a letter to your office, and also to the State Patrol, to get your comments on what this legislation is proposing to do for trucks. I would appreciate your thoughts on this legislation, and specifically, your opinion on whether this is something that would be possible to enforce and educate motorists about.

I look forward to your reply. Please include Senator McCaslin in your response.

Sincerely,

Mary Margaret Haugen
State Senator, 10th Legislative District
Senate Transportation Committee Chairman

cc: Chief Batiste, Washington State Patrol
Senator Bob McCaslin



FROM THE DESK OF...

LYNN SCHINDLER
State Representative
4th District

Dear Dale,

You are not the only one asking for covers on such loads. I will be looking into such an amendment. Thanks for your hotline.

Sincerely,

A handwritten signature in cursive script that reads "Lynn Schindler".

Lynn Schindler

STATE REPRESENTATIVE

4th Legislative District

360-786-7984

Toll-free Legislative Hotline: 1-800-562-6000



Washington State Senate

Committees:
Judiciary, Chairman
Government Operations & Elections
Technology & Communications
Joint Administrative Rules Review Committee

Senator Bob McCaslin
4th Legislative District

Olympia Office:
112 Irv Newhouse Building
PO Box 40404
Olympia, WA 98504-0404
(360) 786-7606

HOTLINE MESSAGE entered on 02/27/04 at 08:37 AM

Dale Smith
27816 N Elk Chattaroy Rd
Chattaroy, WA 99003

Home Phone: (509) 238-6767

TO: Senator Bob McCaslin
CC: Representative Larry Crouse
Representative Lynn Schindler
Issue: Tarps on trucks
Message: I would like to see legislation passed requiring trucks caring sand, dirt, or gravel to be covered with a tarp. I do not like being sandblasted while driving on the freeway. These tarps would also keep lose materials from floating around in our breathing air.

Response: Dear Dale,

Thank you for taking the time to contact me. I appreciate hearing from you

The existing law, RCW 46.61.655, provides that the loads must be covered unless there are 6 inches of freeboard within the bed. This year, SB 6410 was introduced to remove the 6 inch requirement. The bill was assigned to the Senate Highways and Transportation Committee. However, no action was taken on this bill due to time constraints and other priorities.

This legislation may be reintroduced next year. Thank you for sharing your thoughts and concerns. I will continue to do my best to represent you.

Sincerely,

A handwritten signature in cursive script that reads "Bob".

Senator Bob McCaslin

STATE REPRESENTATIVE
4th DISTRICT
LYNN SCHINDLER

State of
Washington
House of
Representatives

LOCAL GOVERNMENT
RANKING REPUBLICAN MEMBER
TRANSPORTATION POLICY & BUDGET



HOTLINE MESSAGE entered on 02/27/04 at 08:37 AM

Dale Smith
27816 N Elk Chattaroy Rd
Chattaroy, WA 99003

Home Phone: (509) 238-6767

TO: Representative Lynn Schindler
CC: Representative Larry Crouse
Senator Bob McCaslin
Issue: Tarps on trucks
Message: I would like to see legislation passed requiring trucks caring sand, dirt, or gravel to be covered with a tarp. I do not like being sandblasted while driving on the freeway. These tarps would also keep lose materials from floating around in our breathing air.

Response: Dear Dale,

Thank you for your suggestion. One of our Transportation staff provided me with the following information on an existing law. I believe this addresses your concerns, if not please feel free to contact me again.

A handwritten signature in cursive script, appearing to read "Lynn", enclosed within a large, hand-drawn oval.

AT 30 - 60 MPH DIRT, SAND AND SMALL GRAVEL WILL FLY OFF
OF THE TOP OF A LOADED TRUCK ! THE 6 " SIDE BOARDS DO NOT
PREVENT THIS . THEY PREVENT DAMAGE TO THE SIDE OF THE BED WHEN
LOADING . WHEN GOING AROUND CORNERS IT KEEPS A FULL LOAD FROM
SPILLING OVER THE SIDES .

PLEASE SEE COPY .

COMMENT

THANK YOU

A handwritten signature, possibly "Dale Smith", with the date "1-18-2005" written below it, all enclosed within a large, hand-drawn oval.



FROM THE DESK OF

2005

LYNN SCHINDLER
State Representative
4th District

Dear Dale,

You are not the only one asking for covers on such loads. I will be looking into such an amendment. Thanks for your hotline

Sincerely,

Lynn Schindler

Lynn Schindler
STATE REPRESENTATIVE
4th Legislative District
360-786-7984

Toll-free Legislative Hotline: 1-800-562-6000

Compliance and Enforcement

SCAPCA inspectors respond to many citizen complaints about excessive dust emissions. Inspectors also conduct surveillance throughout the county, and will perform on-the-spot inspections if dust problems are observed. Documented violations may result in formal enforcement action, including civil penalties. The best way to avoid costly violations is to monitor your operations and plan for dust control.

For additional information on dust control, or to order the following publications, contact SCAPCA at 477-4727.

Controlling Dust Emissions Guidebook, a SCAPCA publication that provides additional information on reducing and preventing dust emissions.

A Guide to Handling Fugitive Dust from Construction Projects, developed by the Associated General Contractors of Washington Education Foundation and the Fugitive Dust Task Force.

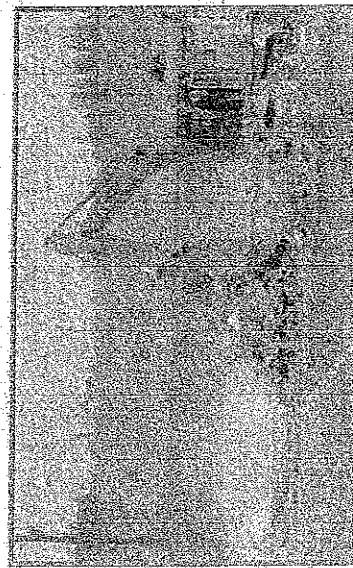
COMPLIANCE ASSISTANCE PROGRAM
SPOKANE COUNTY AIR POLLUTION CONTROL AUTHORITY

1101 W. College Avenue, Suite 403
Spokane, WA 99201
(509) 477-4727
www.scapca.org

cap_bro_dust 06/01

Reducing Dust in Spokane County...

What Your Business Needs To Know



Uncontrolled dust emissions, from a variety of commercial activities, can be a health hazard, a public nuisance, and may result in enforcement action and costly fines.

Supplied by
4/19/01
4/19/01
4/19/01

COMPLIANCE ASSISTANCE PROGRAM
SPOKANE COUNTY AIR POLLUTION CONTROL AUTHORITY
1101 W. College Avenue, Suite 403
Spokane, WA 99201

Controlling Dust Pollution

Construction, contracting, site preparation, grading, hauling, road work, landscaping, excavating, demolition, masonry work, grinding, and land clearing

If you work in any of these, or related fields, you need to know what the rules are regarding the control of dust pollution in Spokane County.

Why the concern over dust?

Dust, a major component of particulate pollution, is an air quality concern in Spokane, especially during the dry summer months. If not controlled, dust can be a health hazard and a public nuisance. When inhaled, fine dust particles travel deep into the lungs, increasing breathing problems, damaging lung tissue, and aggravating existing health problems. This is why the Spokane County Air Pollution Control Authority (SCAPCA) requires the use of control techniques to prevent and minimize the release of dust emissions.

Where does all the dust come from?

In the Spokane-area, most dust emissions come from paved and unpaved road surfaces, commercial operations, construction and demolition activities, parking lots, storage piles, handling and transfer of materials, and other area sources.

What are the rules for controlling dust emissions?

Specifically, SCAPCA regulations state:

- particulate matter emissions must be minimized
- depositing particulate matter onto the property of others is prohibited
- precautions must be taken to prevent particulate matter from becoming airborne
- precautions must be taken to remove dirt and mud from equipment and vehicles before movement onto paved public roads
- dirt and mud tracked onto paved public roadways must be promptly removed



Using water or a chemical dust suppressant is one way to minimize dust emissions.

How can I control dust?

Depending on the situation, one or more of the following strategies is recommended to minimize dust emissions:

- use water or chemical dust suppressants
- minimize activities during periods of high winds
- use covered chutes, covered containers, or collection and control equipment when handling, transferring, and/or storing dusty material
- minimize free fall distances for dusty materials
- vegetate or mulch dusty areas
- maintain adequate freeboard and cover loads when transporting dusty materials
- keep paved surfaces clean to minimize re-entrainment of dust into the air
- restrict access or limit vehicle speeds on unpaved areas to 15 miles per hour

Tracking dirt onto paved roadways can also generate dust emissions. The following strategies are recommended to minimize tracking:

- pave or gravel unpaved traveled surfaces
- pave or install gravel buffer areas at exits
- clean vehicle tires and undercarriages before traveling on paved roads (wash stations)
- promptly clean up material that has been tracked onto paved roadways (wet flush/spray off, street sweep/vacuum)

U.S. OIL & REFINING CO.

December 6, 2007

CERTIFIED MAIL

7005 3110 0003 5152 4201

Doug Schneider
Washington Department of Ecology
PO Box 47600
Olympia, WA 98504-7600

Subject: Comments on Proposed PM2.5 Non-Attainment Area for Tacoma, WA

Reference: (a) Puget Sound Clean Air Agency: October 26, 2007 Report Titled "Fine Particulate Matter Non-Attainment Area Recommendation for the Tacoma Area"

(b) Puget Sound Clean Air Agency: PM2.5 Stakeholder Group Final Report Dated October 15, 1999

Dear Mr. Schneider,

U.S. Oil & Refining Co. (U.S. Oil) appreciates the opportunity to comment on the proposed PM2.5 non-attainment designation for the Tacoma area. U.S. Oil owns and operates a small 39,000 bbl per day oil refinery located in the "heart" of the Tacoma tideflats area. U.S. Oil refines crude oil into products such as gasoline, jet fuel, diesel fuel, marine fuel oils and road asphalts to help meet local and regional transportation needs in the Puget Sound. U.S. Oil is also the primary supplier of jet fuel to McChord Air Force Base.

U.S. Oil is supportive of programs and requirements necessary to protect human health and the environment, such as PM2.5 non-attainment area designations, where the decisions to establish and implement these programs are based on solid scientific data/analysis rather than popular sentiments. Reference (a) shows that the proposed PM2.5 non-attainment area designation is based on exceedances of EPA's 24-hour PM2.5 standard at PSCAA's South L Street monitoring station located in Tacoma. The data contained in reference (a) clearly indicates that the source of the highest levels of PM2.5 at PSCAA's South L Street monitoring station is attributed to wood smoke emissions from households during the winter months, especially when the winds are coming out of the southeast. Further, survey data contained in reference (a) also shows that (1) the greatest number/density of households currently burning wood to be located southeast of the South L Street monitoring station and (2) the number of households in areas southeast of the PSCAA's South L Street monitoring station is projected to increase significantly by 2020.

U.S. Oil does not believe that the scientific data collected at PSCAA's Alexander Avenue monitoring station supports the inclusion of the Tacoma tideflats area in the proposed PM2.5 non-attainment area designation. The following wind rose data was obtained from PSCAA's web site for PSCAA's Alexander Avenue monitoring station for comparison to the wind rose data contained in reference (a).

- Enclosure #1: Winter Months Wind Speed and Direction for 9/1/2006 through 3/1/2007.
- Enclosure #2: Summer Months Wind Speed and Direction for 3/1/2006 through 8/14/2006.
- Enclosure #3: Winter Months PM2.5 Concentrations and Wind Direction for 9/1/2006 through 3/1/2007.
- Enclosure #4: Summer Months PM2.5 Concentrations and wind Direction for 3/1/2006 through 9/1/2006.

The data contained in these enclosures shows that the highest PM2.5 concentrations occur when the winds are out of the southeast, which also corresponds to when winds are the lightest (closest to stagnant conditions). As with the South L Street monitoring station, elevated levels of PM2.5 during the winter months also appear to be coming from household wood combustion sources located southeast of the Tacoma tideflats area. This data shows that elevated PM2.5 levels rarely occur in the summer and are not associated with a particular wind direction. This summer months data appears to be more representative of the true PM2.5 emissions originating from industrial activities in the Tacoma tideflats area.

(1) Clearly, the scientific data does not support the inclusion of the Tacoma Tideflats in the PM2.5 non-attainment area boundary as the primary source contributing to the elevated levels of PM2.5 being measured at the Alexander Avenue monitoring stations appears to be wood smoke from out of the area. Further this data does not support agency conclusions that PM2.5 emissions from the Tacoma Tideflats area are contributing to those instances where the PM2.5 being measured at PSCAA's South L Street monitoring station exceed EPA's PM2.5 standards.

(2) If the Tacoma Tideflats area is not exceeding the allowable limits, it should not be included in a PM2.5 non-attainment area simply because it might someday (sooner or later) exceed those limits. While the industrial activities within the Tacoma Tideflats area are projected to experience significant growth in the upcoming years, it is important to remember that there are numerous initiatives/regulations currently being implemented through the Puget Sound Region to reduce emissions and offset the impacts of this projected growth from mobile sources (on road, off road, marine, etc.).

(3) According to reference (b), industrial sources, including those located in the Tacoma Tideflats area, are already highly regulated at the federal, state and local levels. These industrial sources are a very small contributor to overall PM2.5 emissions largely because of the amount of existing controls on industrial stack emissions. Because of the level of existing controls and the small contribution of industrial sources to overall PM2.5, meaningful reductions will be extremely difficult if not impossible to achieve. Placing additional restrictions on industrial sources through a PM2.5 non-attainment designation will likely have minimal benefits at an extremely high cost when compared to implementing programs necessary to address the real problem, which is wood smoke.

The real solution to off-setting projected growth with the Tacoma Tideflats area while maintaining PM2.5 emissions below EPA's PM2.5 standard is through the continued

implementation of programs such as the implementation of national standards for on and off-road diesel engines, implementation of PSCAA's Diesel Solutions program, implementation of findings from the Puget Sound Maritime Air Forum, implementation of EPA mandates to produce cleaner burning fuels, implementing Ecology's clean vehicle program and ongoing compliance with PSCAA's industrial registration, notice of construction and operating permit programs.

(4) The inclusion of the Tacoma tideflats within the PM2.5 non-attainment area will also restrict U.S. Oil's ability to make changes to refinery process operations in order to produce cleaner fuels in sufficient quantities necessary to reduce mobile source emissions in the Tacoma area. In order for U.S. Oil to produce cleaner burning fuels which help reduce emissions in the Puget Sound area, selected PM2.5 strategies need to be supportive and not inadvertently impede the efforts of those who are trying to implement these solutions. As such, U.S. Oil has already incurred significant costs associated with making necessary changes to produce these cleaner burning fuels while complying with federal, state and local clean air regulations. This designation will further contribute to an unlevel playing field impacting U.S. Oil's ability to compete with the larger multinational oil refineries located in northern Washington.

In summary, effective PM2.5 non-attainment area strategies need to focus on the sources that are actually contributing to the source of the PM2.5 emissions. Expecting to obtain meaningful PM2.5 reductions from non-wood burning sources instead of rigorously pursuing real wood stove emission reduction strategies is a lot like "ignoring the elephant in the living room". Again, the decision to establish a PM2.5 non-attainment area and implement effective control strategies needs to be based on solid scientific data/analysis rather than popular sentiments.

Please contact Al Cabodi or myself at (253) 383-1651 if you have any questions or require additional information.

Sincerely,

U.S. OIL & REFINING CO.

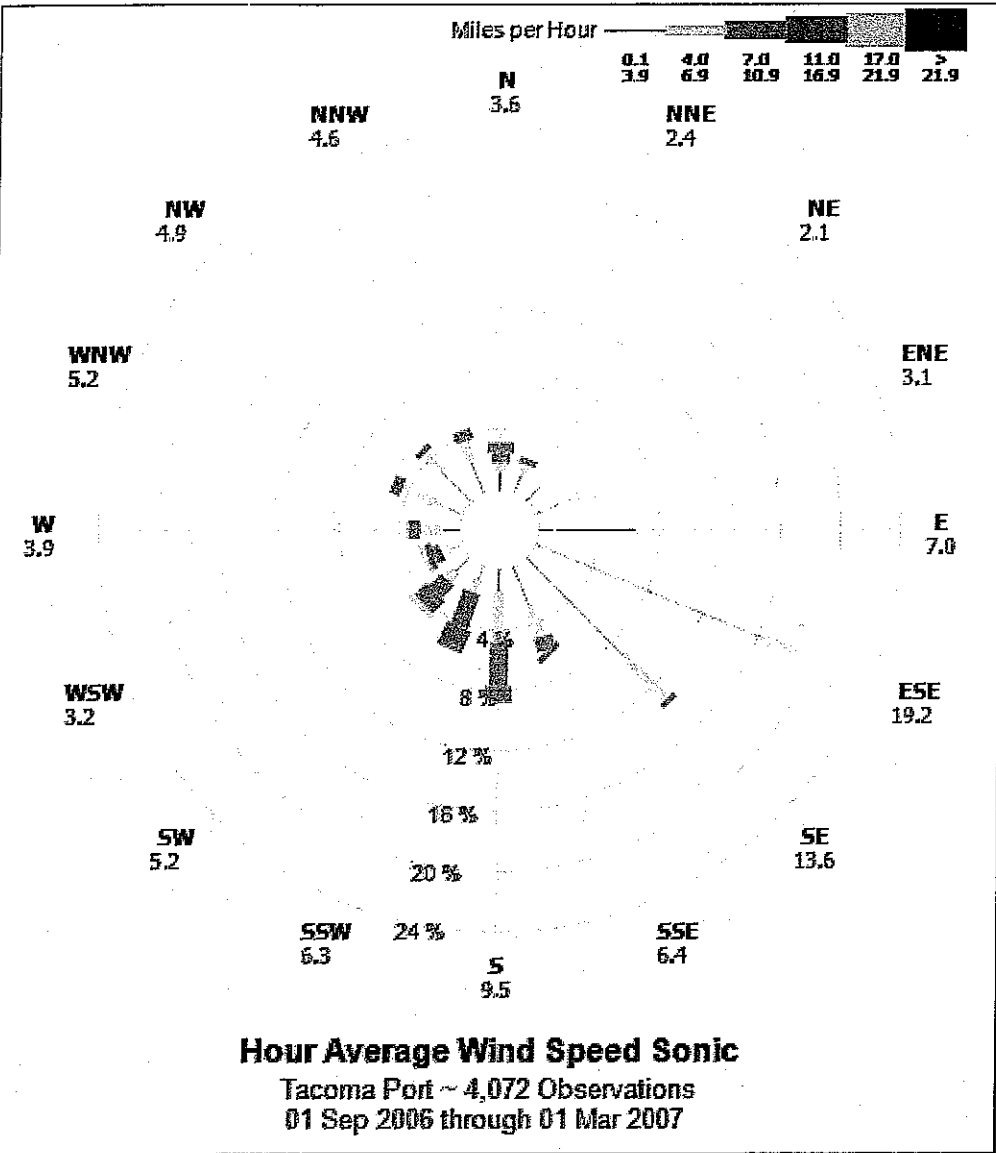


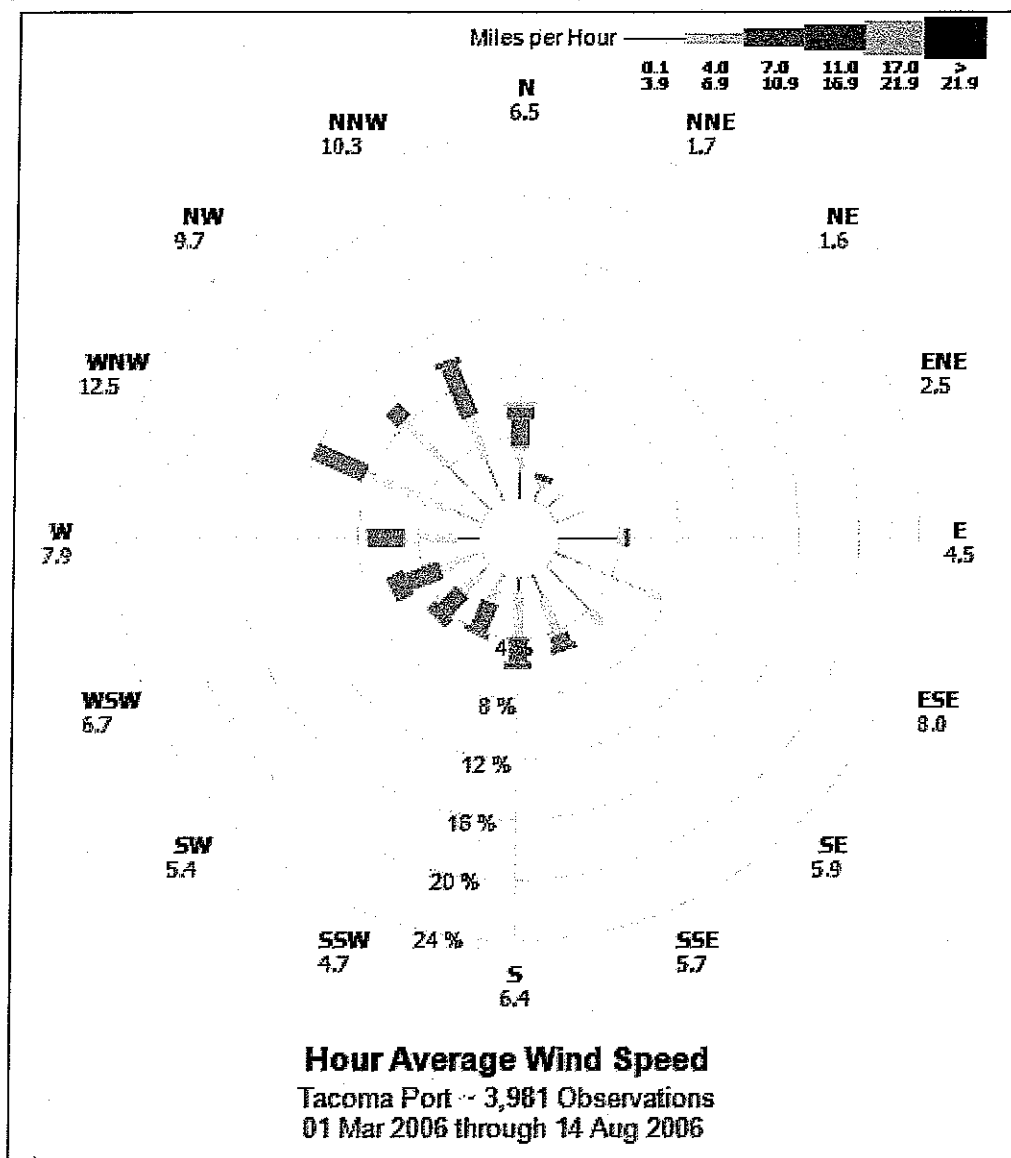
Ty J. Gaub
Environmental Manager

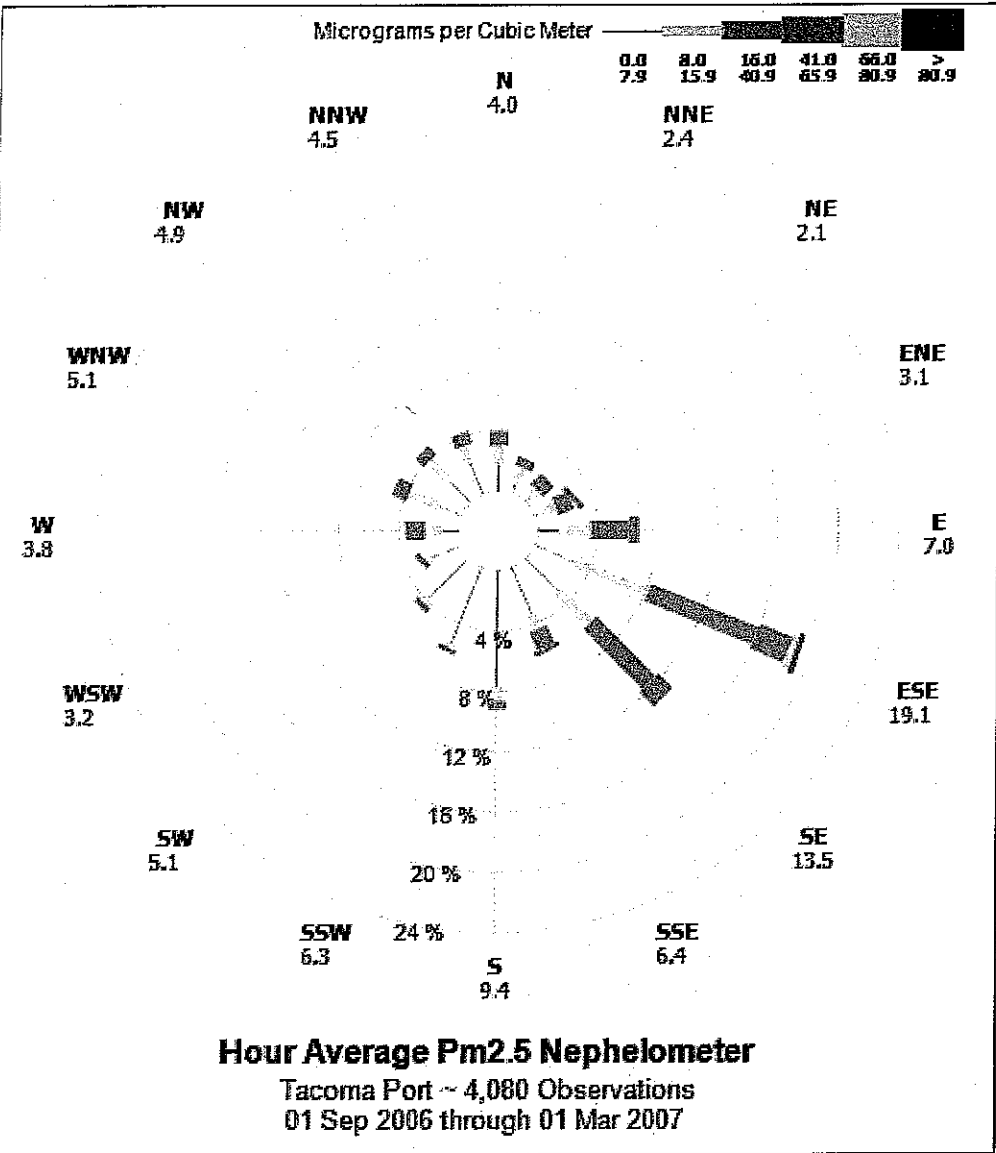
Enclosures (4)

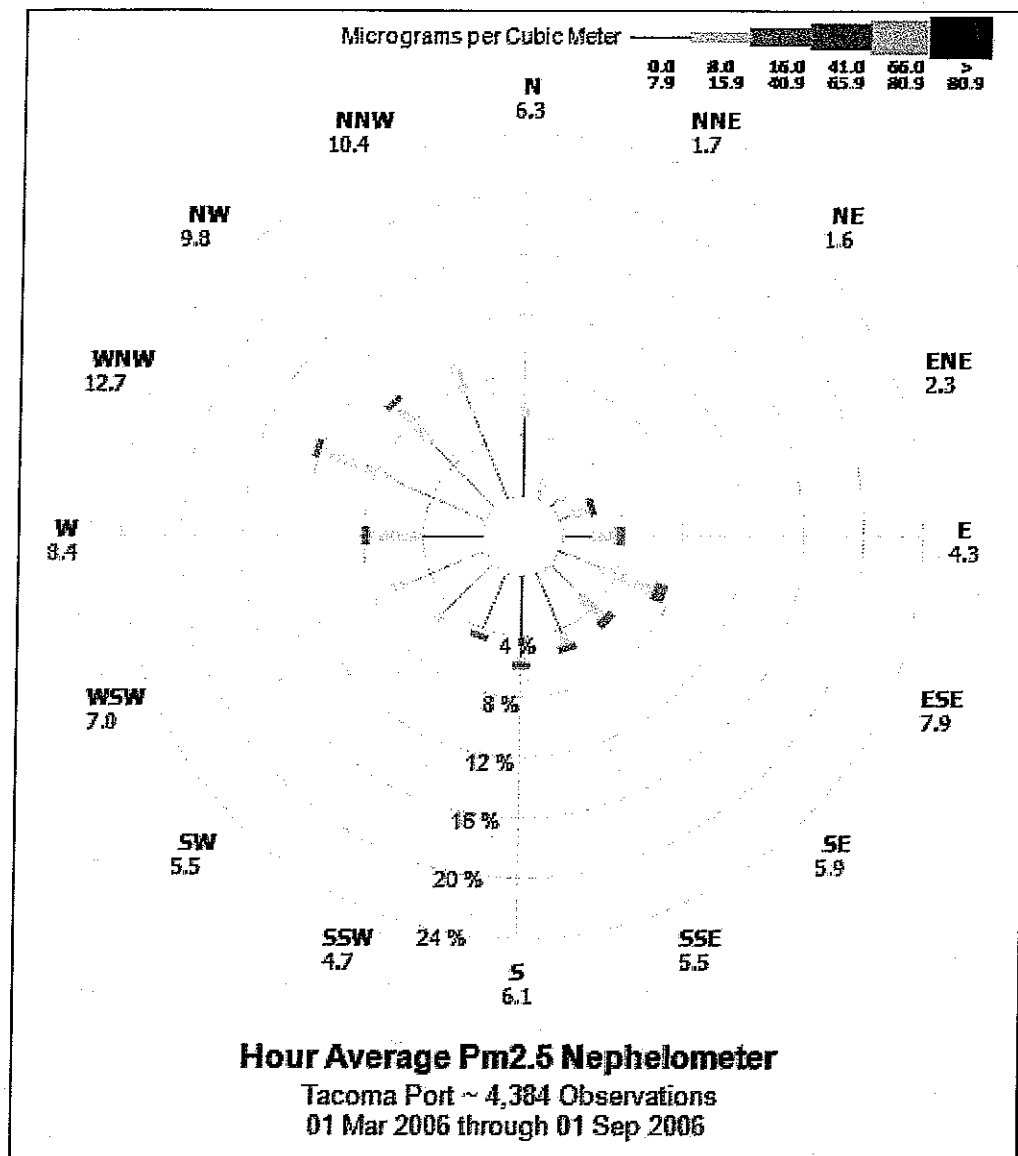
Cc: Dennis McLerran – Puget Sound Clean Air Agency
Gary Brackett – Tacoma-Pierce County Chamber of Commerce
AIC, KBI, MEN

F:/grp/eh&s/documents/tjg/tjg07048.doc









12/07/07

MR. DOUG SCHNEIDER
DEPARTMENT OF ECOLOGY
P.O. Box 4700
OLYMPIA, WA 98504-7534

REF: STATE DEPARTMENT OF ECOLOGY PROPOSED
AIR QUALITY "NONATTAINMENT" ZONES (THE NEWS
TRIBUNE, 12/07/07).

DEAR MR. SCHNEIDER:

A CONDENSED RESPONSE TO MEET YOUR MONDAY
DEADLINE FOR PUBLIC COMMENT.

- (1) 0 THE AIR POLLUTION IS MULTIPLE-, NOT
SINGLE-SOURCE. AS BAD AS FINE-PARTICULATE
MATTER IS FROM WOOD-BURNING, WE IN
NOTORIOUS ZIP CODE 98408 REALIZE THERE ^{ARE}
OTHER SOURCES, TOO, FOR THE INCREASINGLY
BAD WINTER-TIME AIR POLLUTION.
- (2) 0 THE AIR POLLUTION IS GENERATED FROM, AND
AFFLICTS MORE THAN THE RIDICULOUSLY LIMITED
"NONATTAINMENT" ZONE EXCLUDING INDUSTRIAL
AREAS. A CASE IN POINT: FIVE AT HIGHWAY 99
AND PORT OF TACOMA ROAD, 11/26/07, NOON-
TIME WAS NEARLY UNBEARABLE. THE SEVERE
AIR POLLUTION WAS MORE INDUSTRIAL
AND LESS HOME-OWNER WOOD BURNING.
- (3) 0 EXCLUDING PIERCE COUNTY INDUSTRIAL AREAS
AND ANY INTERNATIONAL TRADE RAMIFICATIONS
ONE UNDERSTANDS THAT GOVERNOR FERGUSON
AND HER CHINA TRADE TEAM ARE PITCHING
TO BEIJING EXPORTING WASHINGTON STATE
ADVANCED AIR/WATER POLLUTION CONTROL
TECHNOLOGY.

HOW TO EXPLAIN FEDERAL AIR QUALITY COM-
PLIANCE EXEMPTIONS FOR PIERCE COUNTY

(REVERSE)

INDUSTRIAL AREAS, FOR EXAMPLE? WHY NOT
SEIZE THE DAY AND MAKE TACOMA/PIERCE COUNTY
A SHOWCASE FOR DEVELOPING AND APPLYING
THE AFOREMENTIONED POLLUTION CONTROL
TECHNOLOGY? SHOW THE CHINESE SOMETHING
OTHER THAN HYPOCRISY.

SINCERELY YOURS,

Marilyn J. Peterson

MARILYN J. PETERSON
411 SO. 6TH ST.
TACOMA, WA 98408
(253) 472-2931



December 10, 2007



Doug Schneider
Washington State Department of Ecology
P.O. Box 4700
Olympia, WA 98504-7600

Dear Mr. Schneider:

(1) The Port of Tacoma is an important economic engine in the Tacoma area, but I'm writing this letter today on behalf of our role as a neighbor and a community partner.

As you know, the U.S. Environmental Protection Agency lowered the daily standard in December 2006 for fine particulate matter, which has been linked to such health issues as asthma and increased heart attack and stroke risks.

Tacoma now faces a federal designation as a non-attainment area. This pending designation requires us to join our community partners and confront air quality issues in new ways.

In Pierce County we are fortunate that we can resolve non-attainment by addressing a single source: wintertime wood smoke. It is a notoriously difficult and unpopular issue, but if we eliminate wintertime wood smoke peaks, our region will have some of the best urban air quality in the country.

Even though wood smoke is the clear, driving cause of non-attainment, we realize that the EPA's boundary designation process requires documented particulate sources in the industrial Tideflats area be considered.

Based on the Puget Sound Clean Air Agency's 2005 emissions inventory for Pierce County, Port of Tacoma activities contribute about 2 percent of the region's annual fine particulate matter emissions. During wintertime peaks, the percentage is even smaller.

In fact, during the 2002 strike, when Port operations shut down for eight days, the continuous monitor located in our backyard measured no discernible changes to emissions levels, as shown in the attached graphs.

While we consider our contribution to be insignificant during periods of wintertime exceedences, we are a part of the community, we contribute particulate matter to the atmosphere, and we intend to continue working with our neighbors to safeguard air quality and bring the region back into attainment.

We have focused on diesel particulate matter in our emission reduction efforts in order to safeguard the health of those who spend their careers working in the Tideflats. We've made great strides through our own efforts and those of our customers and tenants.

We use low-sulfur fuels in all of our terminal equipment and in many ships at berth. We are creating newer, cleaner, more efficient fleets of equipment and are considering emerging opportunities for zero-emission, electric equipment.

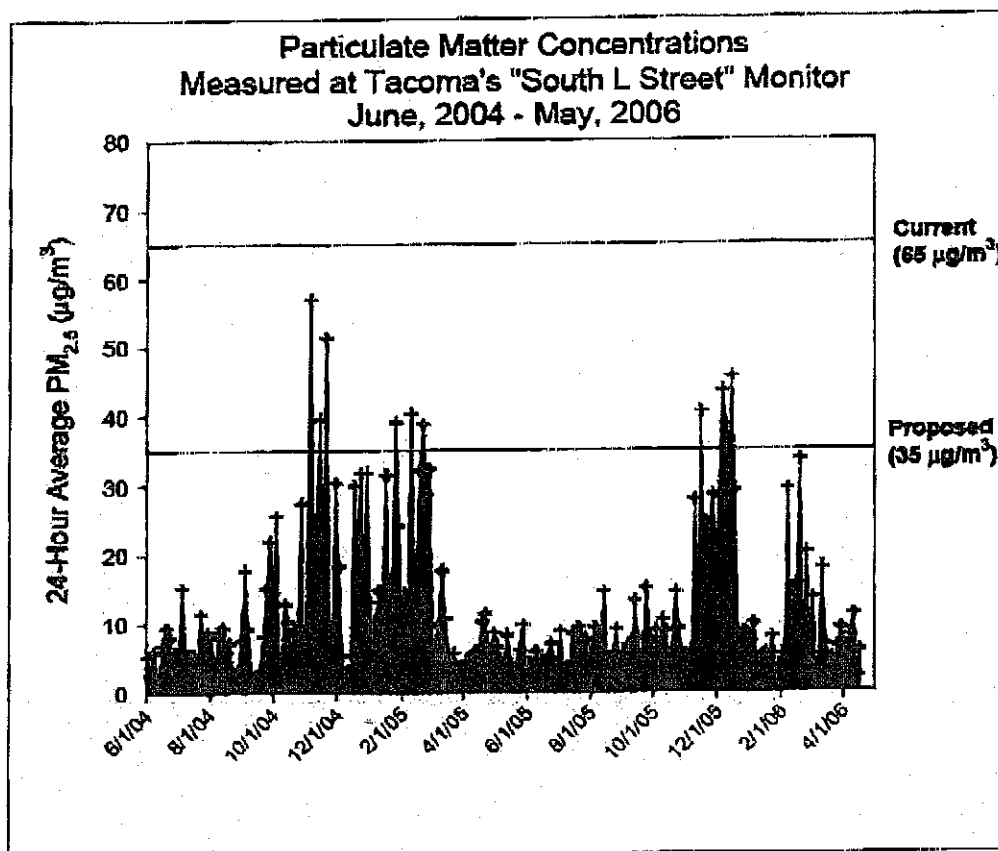
Central to our planning is the Northwest Ports Clean Air Strategy, developed with the Port of Seattle, the Vancouver Fraser Port Authority and with direct involvement from state and regional air authorities. This strategy is designed to allow the Ports to grow as planned while achieving significant emission reductions.

Through our efforts to reduce diesel particulates, we are doing our part and more to reduce overall emissions. We intend to remain a leader in reducing emissions through innovative approaches that satisfy the needs of our business and the health of the region.

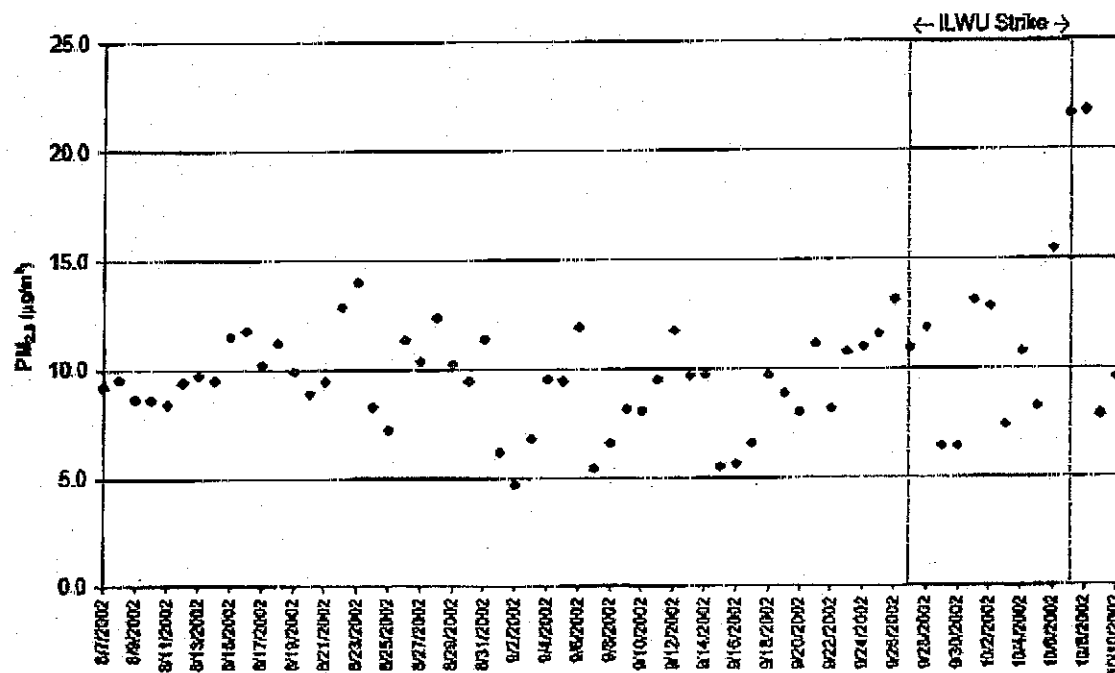
Sincerely,



Sue Mauermann
Director, Environmental Programs



$PM_{2.5}$ at Port of Tacoma: August 7th - October 10th, 2002



**Pierce County****Special Projects
Habitat Protection and Restoration**9850 64th Street West
University Place, Washington 98467-1078
(253) 798-4050 • FAX (253) 798-7709

December 10, 2007

Doug Schneider, Senior SIP Planner
DOE Air Quality Program
300 Desmond Drive, PO Box 47600
Olympia, WA 98504-7600**DEBORA A. HYDE**
Special Project Coordinator
dhyde@co.pierce.wa.us**TOM KANTZ, Ph.D.**
Environmental Biologist 3
tkantz@co.pierce.wa.us360-407-1334
original in mail

Re: Proposed Non-Attainment Boundary for Tacoma-Pierce County

Dear Mr. Schneider,

Thank you for the opportunity to provide input on the proposed boundaries for non-attainment of fine particulate matter in the Tacoma-Pierce County area. We would ask that you seriously consider our suggestion for a revised area of non-attainment.

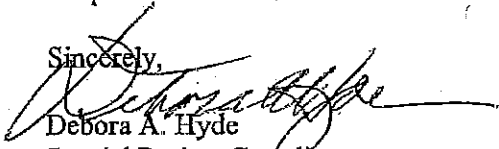
- (2) We have attached a map that outlines our suggested non-attainment area which is based on the Puget South Clean Air Agency (PSCAA) studies that demonstrate the elevated levels of PM 2.5 at and near the South L monitoring station are largely a wintertime air pollution problem caused by residential wood heating (i.e., problem highest in winter months, EPA standard is exceeded during inversions or times of air stagnation). The attached map was created using 2000 Census data on wood burning as a primary source of heat and overlaying this information with topography. As there is a 120 foot climb to the west and a 100 drop further to the east, a specific area of non-attainment can be identified.

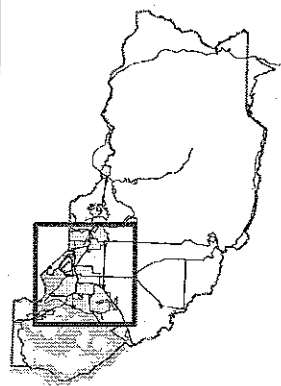
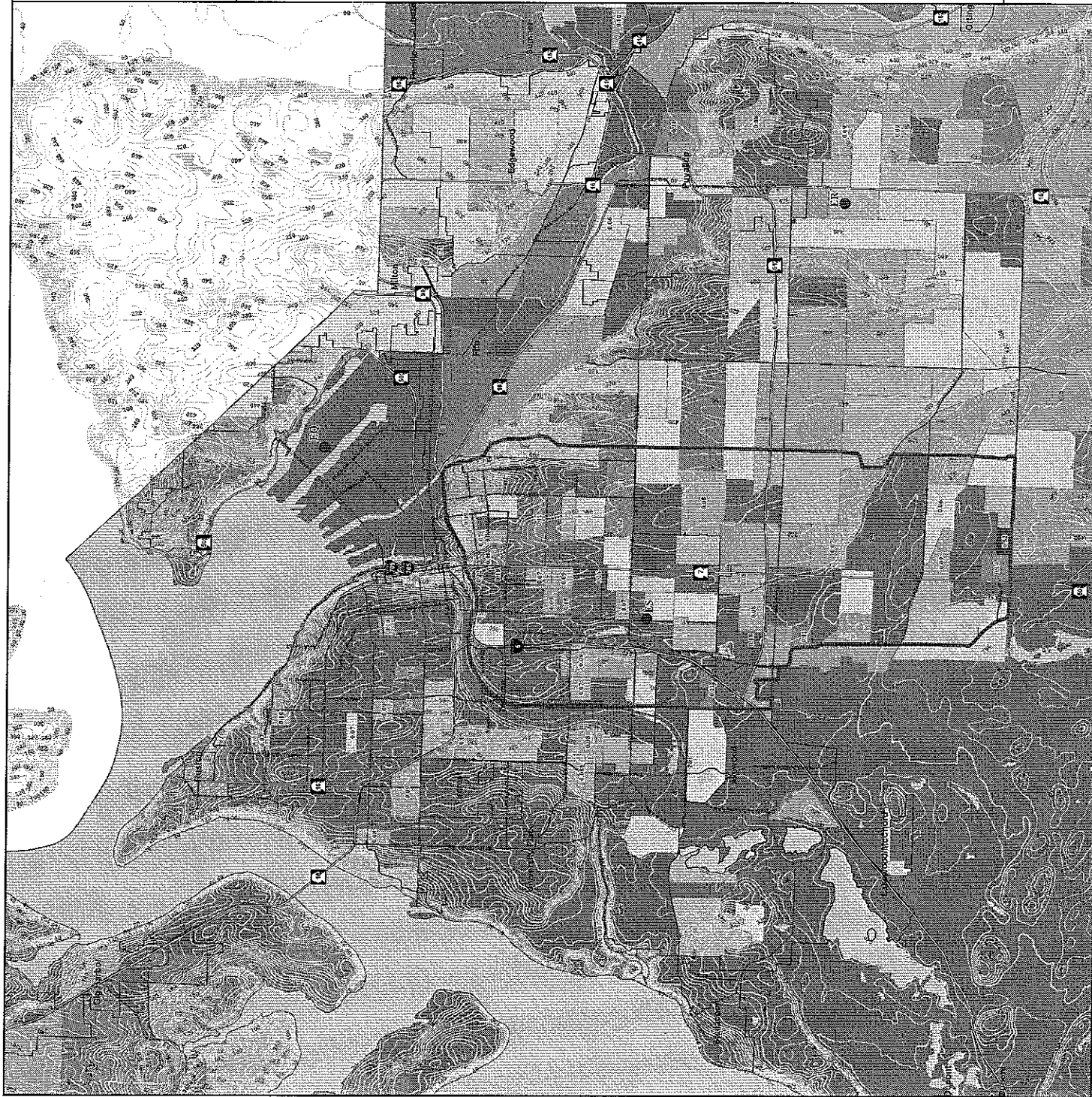
- (2) The PSCAA has done an excellent job researching and recording data on the South L monitor. However extensive research has not been done on the other two monitors that do not exceed the standard. It is quite possible that the composition of contributing sources of particulate matter differs at the three monitors. It is important to understand what the sources of emissions are in order to develop appropriate courses of action. A wood smoke problem would be addressed very differently than an industrial, diesel, or transportation problem. In fact, a wood smoke problem can be addressed relatively quickly through an aggressive woodstove change out program. Considering the health effects of wood smoke, we believe it is imperative to focus our efforts on an aggressive woodstove change out program and address the problem as swiftly in order to improve the quality of the air in these communities this coming winter. We look to the PSCAA program that has been successfully implemented in Darrington and we would welcome the opportunity to partner with the agency and others in implementing a similar program here.

We would also ask the Department of Ecology (DOE) and the PSCAA to seriously consider and be empathetic to the image that Tacoma-Pierce County has worked very hard to overcome and to consider the full range of implications of non-attainment.

We look forward to the opportunity to partner with DOE and PSCAA to quickly and aggressively address the problem at the South L monitor.

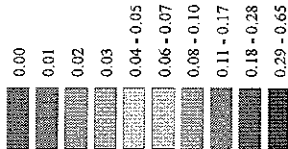
Sincerely,


Debora A. Hyde
Special Project Coordinator



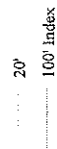
Homes Using Wood or Coal as Primary Heat Source 2000 Census Block Group Data

Homes per Acre



Proposed Non-Attainment Area

Contours - 20 ft



● Puget Sound Clean Air Agency Stations

Map Disclaimer: The map features are approximate and are intended only to provide an indication of said feature. Additional areas that have not been mapped may be present. This is not a survey. The County assumes no liability for variations ascertained by actual survey. **ALL DATA IS EXPRESSLY PROVIDED 'AS IS' AND 'WITH ALL FAULTS'.** The County makes no warranty of fitness for a particular purpose.



Department of Planning & Land Services
Plot Date: October 24, 2007



Pierce County

DANIEL H. HAIRE

ATTORNEY AT LAW
P. O. BOX 8276
TACOMA, WASHINGTON 98419
Telephone: (253) 922-1393
Facsimile: (253) 922-0962

December 10, 2007

Mr. Doug Schneider
Department of Ecology
PO Box 4700
Olympia, WA. 98504-7534

Re: Tacoma's proposed "non-attainment area" under the Clean Air Act

Dear Mr. Schneider:

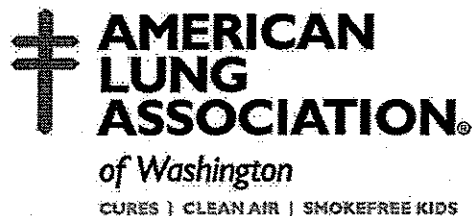
I am a member of Pierce County's Summit-Waller Community Association. The Summit-Waller Community covers portions of the area identified in Pierce County's proposed non-attainment area as identified on December 7, 2007 in the News Tribune. While the apparent deadline for public comment is today, this issue is just emerging as a topic of community discussion. At this point, I must inform you that many people within the Summit-Waller Community have serious questions about the "non-attainment area" proposed by Pierce County.

(1) Pierce County's proposed non-attainment area appears to intentionally ignore air pollution originating from the Port of Tacoma area (diesel smoke from ships, trains, and trucks) and McCord Air Base (jet based pollution which impacts Pacific Lutheran University and the surrounding community). It insults one's intelligence to suggest that stoves and fireplaces are the primary cause of the area's identified air pollution when stove and fireplaces are, in fact, used everywhere across the State of Washington. To discover the truth, one only has to step outside as I did this morning and smell the diesel smoke and jet exhaust. I can assure you that many affected citizens will become enraged if public officials begin to play politics with their health and the health of their families. The "non-attainment area" should include the source of the area's diesel smoke and jet exhaust fumes.

If you have any questions or comments, please feel free to call at (253)922-1393. Thank you for your consideration.

Sincerely,


Daniel Haire



Seattle
State Office
2625 Third Avenue
Seattle, WA 98121
P: (206) 441-5100
F: (206) 441-3277

Spokane
1817 E. Springfield, Suite E
Spokane, WA 99202
P: (509) 325-6516
F: (509) 323-5380

Tacoma
223 Tacoma Ave S.
Tacoma, WA 98402
P: (253) 272-8777
F: (253) 593-8827

Yakima
110 S. 9th Avenue
Yakima, WA 98902
P: (509) 248-4384
F: (509) 248-4943

W: www.alaw.org

1-800-LUNG-USA
(1-800-586-4872)

**Improving Life,
One Breath
at a Time**

December 10, 2007

Attn: Doug Schneider
Department of Ecology
PO Box 4700
Olympia, WA 98504-7534

RE: Comments on Non-attainment area boundary for Tacoma

The Tacoma-Pierce County Chamber of Commerce, some Tacoma business leaders, and some Pierce County Officials have advocated that the boundaries for the fine particulate non-attainment area be reduced considerably from those proposed by the Washington Department of Ecology.

The Puget Sound Clean Air Agency established several temporary monitors to further define the area triggered into non-attainment by the single permanent monitor in the area. Also meteorology and modeling were used to determine the area affected. Using the criteria established by the Environmental Protection Agency, the boundaries were drawn.

The Port of Tacoma has participated in the Northwest Clean Air Strategy and it is likely very soon that they will be doing what they can to lower emissions from the Port. While this may not be the largest source of fine particulates, it is a significant source.

The American Lung Association of Washington is concerned about the health impacts of the smaller boundary. One in ten citizens in the state of Washington has asthma. According to the American Lung Association's *2006 Lung Disease Data Report*, an estimated 90,000 residents in Pierce County have asthma and lung disease.

There is a strong correlation between fine particulates, the ones under discussion in Tacoma, and asthma. We doubt that the economic impacts of the larger boundary will be substantial, but even if they are, Americans everywhere in the country have stepped up to the challenge of providing air which meets the standards. We urge the Department of Ecology to stick with its health based determination and adopt the boundaries originally proposed.

We also hope Tacoma will step up to the challenge of cleaning up its air. The state has some woodstove buyout funding and is willing to earmark this area as one of two to receive that funding. But more, much more, will need to be done. The support of the Chamber of Commerce, Tacoma business community, and Pierce County will be important to this effort. Tacoma could be a model of how to achieve health air.

Sincerely,

Linda Henderson
Executive Director
American Lung Association of Washington

